

From: John Fawcett
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 11:11am
Subject: Microsoft Settlement

I am opposed to the proposed settlement.

I am a programmer with over 22 years in the field. I have watched Microsoft rise from being a small, fiercely competitive company in a crowded operating systems market to being the sole survivor who is willing to either absorb or exterminate any potential competitors. While I may not have liked their tactics in the early years, I had a choice of using them or using CP/M, Dr. DOS, or any of half a dozen other products. Over time, Microsoft's licensing agreements with hardware vendors have worked to systematically deny me the right to choose any operating system than Microsoft. If I do choose a different operating system, I still have to pay the price to license a copy of Windows, as the licensing agreements often prohibit the hardware being shipped without any operating system. This means that I have to pay twice to get the operating system of my choice, and Microsoft wins regardless. This is not competition on merit.

I have worked for companies that are scared stiff of competing with Microsoft. I've worked on projects that were canceled on the mere rumor of a competing product from Microsoft. I've seen products that were commercially successful, but were then crushed by the free release of a technically inferior product that came bundled with the Microsoft operating system. Again, this is not competition on merit. It is using the position as the only vendor allowed to be installed on many computers, along with the absolute control of how that operating system and it's components are presented to the end user, to take choice away from the consumer.

I believe that Microsoft should be broken up into at least two units, and preferably more. The most important task is the separation of the operating system business from the other products. The process for including products in an operating system release should be competitive and unbiased. This should include everything from the Internet browser to simple things like Notepad and the Solitaire. If Microsoft is forced to account fully for the development, marketing, and support of each component, other companies would have the opportunity to compete on a level playing field.

Operating systems are nothing more than the way applications interact with the hardware. They have nothing to do with end user applications like Graphical User Interfaces, Internet browsers, scratch pads, or games. Contending that the user interface is an integral part of the operating system is nonsense. Contending that the Internet browser is part of the operating system is ludicrous. Allowing one company to redefine terms for an entire industry is criminal.

Best Regards,

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